

Clerk stamps date here when form is filed.

**Instructions**

- This form is only for preparing a proposed statement on appeal in a **limited civil case**.
- Before you fill out this form, read *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO) to know your rights and responsibilities. You can get form APP-101-INFO at any courthouse or county law library or online at [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms).
- This form can be attached to your *Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103). If it is not attached to that notice, this form must be filed **no later than 20 days after you file that notice. If you have chosen to prepare a statement on appeal and do not file this form on time, the court may dismiss your appeal.**
- Fill out this form and make a copy of the completed form for your records and for each of the other parties.
- Serve a copy of the completed form on each of the other parties and keep proof of this service. You can get information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California Courts Online Self-Help Center at [www.courtinfo.ca.gov/selfhelp/lowcost/getready.htm#serving](http://www.courtinfo.ca.gov/selfhelp/lowcost/getready.htm#serving).
- Take or mail the original completed form and proof of service on the other parties to the clerk's office for the same court that issued the judgment or order you are appealing. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed.

You fill in the name and street address of the court that issued the judgment or order you are appealing:

**Superior Court of California, County of**

You fill in the number and name of the trial court case in which you are appealing the judgment or order:

**Trial Court Case Number:****Trial Court Case Name:**

You fill in the appellate division case number (if you know it):

**Appellate Division Case Number:****1 Your Information**

- a. Name of appellant (the party who is filing this appeal):

- b. Appellant's contact information (
- skip this if the appellant has a lawyer for this appeal*
- ):

Street address: \_\_\_\_\_  
Street City State ZipMailing address (if different): \_\_\_\_\_  
Street City State Zip

Phone: ( ) \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

- c. Appellant's lawyer (
- skip this if the appellant does not have a lawyer for this appeal*
- ):

Name: \_\_\_\_\_ State Bar number: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State ZipMailing address (if different): \_\_\_\_\_  
Street City State Zip

Phone: ( ) \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

Fax (optional): ( ) \_\_\_\_\_



Trial Court Case Name: \_\_\_\_\_

## Information About Your Appeal

- ② On *(fill in the date)*: \_\_\_\_\_ I/My client filed a notice of appeal in the trial court case identified in the box on page 1 of this form.
- ③ On *(fill in the date)*: \_\_\_\_\_ I/My client filed a notice designating the record on appeal, electing to use a statement on appeal.

## Proposed Statement

### ④ The Dispute

- a. In the trial court, I/my client was the *(check one)*:
- ☐ plaintiff (the party who filed the complaint in the case).
- ☐ defendant (the party against whom the complaint was filed).
- b. The plaintiff's complaint in this case was about *(briefly describe what was claimed in the complaint filed with the trial court)*: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. The defendant's response to this complaint was *(briefly describe how the defendant responded to the complaint filed with the trial court)*: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ Check here if you need more space to describe the dispute and attach a separate page or pages describing it. At the top of each page, write "APP-104, Item 4."

### ⑤ Summary of Any Motions

- a. Were any motions (requests for the trial court to issue an order) filed in this case?
- ☐ Yes *(fill out b)*
- ☐ No *(skip to ⑥)*.
- b. In the spaces below, please describe the motions (requests for orders) that were made in the trial court. Write a complete and accurate summary of what was said at any hearings on these motions and indicate how the trial court ruled on these motions.

(1) Describe the first motion: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Trial Court Case Name: \_\_\_\_\_

**5** b.(1) (continued)The motion was filed by the ☐ plaintiff. ☐ defendant.There ☐ was ☐ was not a hearing on this motion.*(If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing):* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_The trial court ☐ granted this motion. ☐ did not grant this motion.☐ Other (describe any other action the trial court took concerning this motion): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_☐ Check here if you need more space to describe this motion and attach a separate page or pages describing this motion. At the top of each page, write "APP-104, Item 5b(1)."(2) Describe the second motion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_The motion was filed by the ☐ plaintiff. ☐ defendant.There ☐ was ☐ was not a hearing on this motion.*(If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing):* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_The trial court ☐ granted this motion. ☐ did not grant this motion.☐ Other (describe any other action the trial court took concerning this motion): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_☐ Check here if you need more space to describe this motion and attach a separate page or pages describing this motion. At the top of each page, write "APP-104, Item 5b(2)."☐ Check here if any other motions were filed and attach a separate page or pages describing each motion, identifying who made the motion and whether there was a hearing on the motion, summarizing what was said at the hearing on the motion, and indicating whether the trial court granted or denied the motion. At the top of each page, write "APP-104, Item 5b(3)."

Trial Court Case Name: \_\_\_\_\_

**6 Summary of Testimony**

a. Was there a trial in your case?

No ☐ (skip items b, c, and d and go to item **7**)Yes ☐ (check (1) or (2) and complete items b, c, and d)(1) ☐ Jury trial(2) ☐ Trial by judge only

b. Did you/your client testify at the trial?

No ☐Yes ☐ (Write a complete and accurate summary of the testimony you/your client gave. Include only what you actually said; do not comment or give your opinion about what was said):

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☐ Check here if you need more space to summarize your/your client's testimony and attach a separate page or pages summarizing this testimony. At the top of each page, write "APP-104, Item 6b."

c. Did anyone else testify at the trial?

No ☐Yes ☐ (complete items (1), (2), and (3)):

(1) The witness's name is (fill in the witness's name): \_\_\_\_\_

(2) The witness testified on behalf of the (check one): ☐ plaintiff. ☐ defendant.

(3) This witness testified that (write a complete and accurate summary of the witness's testimony. Include only what the witness actually said; do not comment on or give your opinion about what the witness said):

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☐ Check here if you need more space to summarize this witness's testimony and attach a separate page or pages summarizing this testimony. At the top of each page, write "APP-104, Item 6c."

☐ Check here if any other witnesses testified at the trial and attach a separate page or pages identifying each witness, who the witness testified for, and summarizing what that witness said in his or her testimony. At the top of each page, write "APP-104, Item 6d."


Trial Court Case Name: \_\_\_\_\_

**7 The Trial Court's Findings**

Did the trial court make findings in the case?

No ☐Yes ☐ (describe the findings made by the trial court):

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☐ Check here if you need more space to describe the trial court's findings and attach a separate page or pages describing these findings. At the top of each page, write "APP-104, Item 7."

**8 The Trial Court's Judgment or Order**

The trial court issued the following judgment or order (check all that apply and fill in any required information):

a. I/My client was required to:

☐ pay the other party damages of (fill in the amount of the damages): \$ \_\_\_\_\_☐ do the following (describe what you were ordered to do): \_\_\_\_\_

b. The other party was required to:

☐ pay me/my client damages of (fill in the amount of the damages): \$ \_\_\_\_\_☐ do the following (describe what the other party was ordered to do): \_\_\_\_\_c. ☐ Other (describe): \_\_\_\_\_

☐ Check here if you need more space to describe the trial court's judgment or order and attach a separate page or pages describing this judgment or order. At the top of each page, write "APP-104, Item 8."

**9 Reasons for Your Appeal**

Remember, in an appeal, the appellate division can only review a case for whether certain kinds of legal errors were made (read form APP-101-INFO to learn about these legal errors):

- There was not "substantial evidence" supporting the judgment, order, or other decision you are appealing
- A "prejudicial error" was made during the trial court proceedings.

The appellate division:

- Cannot retry your case or take new evidence
- Cannot consider whether witnesses were telling the truth or lying
- Cannot consider whether there was more or stronger evidence supporting your position than there was supporting the trial court's decision.

Trial Court Case Name: \_\_\_\_\_

9 (continued)

(Check all that apply and describe in detail the legal error or errors you believe were made that are the reason for this appeal.)

- a. ☐ There was not substantial evidence that supported the judgment, order, or other decision I am appealing in this case (explain why you think the decision was not supported by substantial evidence):

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- b. ☐ The following error or errors about either the law or court procedure was/were made that caused substantial harm to me/my client. (describe each error and how you/your client were harmed by that error):

(1) Describe the error: \_\_\_\_\_

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Describe how you were/your client was harmed by the error: \_\_\_\_\_

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(2) Describe the error: \_\_\_\_\_

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Describe how you were/your client was harmed by the error: \_\_\_\_\_

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(3) Describe the error: \_\_\_\_\_

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Describe how you were/your client was harmed by the error: \_\_\_\_\_

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- ☐ Check here if you need more space to describe these or other errors and attach a separate page or pages describing the errors. At the top of each page, write "APP-104, item 9."

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Signature of appellant or attorney